

Remarks

The Office Action mailed March 29, 2004 has been received and reviewed. Claims 2, 5-7, 9, 10, 12, 14-17, 24, 25 and 26 having been amended, claims 1, 8, 11, 23, and 27-29 having been cancelled, and claims 30-43 having been added, the pending claims are claims 2-7, 9, 10, 12-22, 24-26, and 30-43. Reconsideration and withdrawal of the rejections are respectfully requested.

The 35 U.S.C. §102 Rejection

The Examiner rejected claim 15 under 35 U.S.C. §102 as being anticipated by Russell et al. (U.S. Patent No. 6,395,194). Claim 15 having been amended to remove reference to chlorine and interhalogens, this rejection is rendered moot.

It is noted that claim 15 was not rejected under 35 U.S.C. § 103. Accordingly, it is respectfully submitted that claim 15 is allowable, as should be claims 2-7, 9, and 12-14, which have been amended to directly or indirectly depend from claim 15.

The 35 U.S.C. §103 Rejection

The Examiner rejected claims 1-6, 10-13, 16-19, and 22-26 under 35 U.S.C. §103 as being unpatentable over Beitel et al. (U.S. Patent Publication No. 2002/0017063 A1) in view of Weast et al., "CRC Handbook of Chemistry and Physics". This rejection is rendered moot in view of the cancellation or amendment of each of these claims.

With respect to independent claims 16, 17, and 26, the combination of Beitel et al. and Weast et al. does not teach or suggest these claims. Each of these independent claims has been amended to recite that the polishing surface comprises a fixed abrasive article or a polishing pad, and that when the polishing surface comprises the polishing pad, the planarization composition comprises a plurality of abrasive particles having a hardness of no greater than 9 Mohs. Furthermore, claim 16 recites that the oxidizing gas is selected from the group consisting

of oxygen, air, and combinations thereof; claim 17 recites that the oxidizing gas is selected from the group consisting of oxygen, nitrous oxide, air, and combinations thereof; and claim 26 recites that the oxidizing gas is selected from the group consisting of oxygen, air, nitrous oxide, nitric oxide, sulfur trioxide, and combinations thereof.

The Examiner rejected claims 1, 7-9, 16-17, and 20-21 under 35 U.S.C. §103 as being unpatentable over Russell (U.S. Patent No. 6,395,194) in view of Weast et al., "CRC Handbook of Chemistry and Physics". This rejection is rendered moot in view of the cancellation or amendment of each of these claims.

With respect to independent claims 16 and 17, the combination of Russell et al. and Weast et al. does not teach or suggest these claims. As discussed above, claims 16 and 17 have been amended to recite that the polishing surface comprises a fixed abrasive article or a polishing pad, and that when the polishing surface comprises the polishing pad, the planarization composition comprises a plurality of abrasive particles having a hardness of no greater than 9 Mohs. Furthermore, claim 16 recites that the oxidizing gas is selected from the group consisting of oxygen, air, and combinations thereof; and claim 17 recites that the oxidizing gas is selected from the group consisting of oxygen, nitrous oxide, air, and combinations thereof.

The Examiner rejected claims 1-11, 16-20, 22, 26-29 under 35 U.S.C. §103 as being unpatentable over Small et al. (U.S. Patent Publication No. 2002/0111026 A1). This rejection is rendered moot in view of the cancellation or amendment of each of these claims.

With respect to independent claims 16, 17, and 26, Small et al. does not teach or suggest these claims. Each of these independent claims has been amended to recite that the polishing surface comprises a fixed abrasive article or a polishing pad, and that when the polishing surface comprises the polishing pad, the planarization composition comprises a plurality of abrasive particles having a hardness of no greater than 9 Mohs. Furthermore, claim 16 recites that the oxidizing gas is selected from the group consisting of oxygen, air, and

combinations thereof; claim 17 recites that the oxidizing gas is selected from the group consisting of oxygen, nitrous oxide, air, and combinations thereof; and claim 26 recites that the oxidizing gas is selected from the group consisting of oxygen, air, nitrous oxide, nitric oxide, sulfur trioxide, and combinations thereof.

The Examiner rejected claim 14 under 35 U.S.C. §103 as being unpatentable over Small et al. (U.S. Patent Publication No. 2002/0111026 A1) and Weast et al., "CRC Handbook of Chemistry and Physics" and further in view of Bruxvoort et al., (U.S. Patent No. 5,958,794). This rejection is rendered moot in view of the amendment of claim 14 to depend from claim 15.

New Claims 30-43

The new claims are fully supported by the originally filed specification, including the claims, particularly originally filed claims 1, 2, 7, 8, 10-14, and 21. No new matter has been added.

Claims 30-37 are directed to methods of planarizing substrates with Group VIII metal alloy-containing surfaces, particularly platinum alloys (claims 31, 33, and 37). Furthermore, claims 30 and 31 are directed to methods that are carried out in one step; claims 32 and 33 are directed to methods that use a fixed abrasive article; and claims 34-37 are directed to methods that use one or more of oxygen, air, nitrous oxide, nitric oxide, or sulfur trioxide as the oxidizing gas.

Claims 38-40 are directed to methods of planarization using a planarization composition that includes a plurality of abrasive particles having a hardness of no greater than 9 Mohs, and an oxidizing gas selected from the group consisting of oxygen, air, nitrous oxide, nitric oxide, sulfur trioxide, and combinations thereof (independent claim 38).

Claims 41-43 are directed to methods of planarization using a fixed abrasive article, and a planarization composition that includes an oxidizing gas selected from the group consisting of

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oxygen, air, nitrous oxide, nitric oxide, sulfur trioxide, and combinations thereof (independent claim 41).

None of the cited art, used alone or in combination, teach or suggest these combination of claim elements. Thus, it is respectfully submitted that these claims are allowable over the cited art.

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Summary

It is respectfully submitted that the pending claims 2-7, 9, 10, 12-22, 24-26, and 30-43 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for

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CERTIFICATE UNDER 37 CFR §1.10:

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The undersigned hereby certifies that the Transmittal Letter and the paper(s) and/or fee(s), as described hereinabove, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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